

Decision \_\_\_\_\_

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Continental Building Control Systems, Inc.,

Complainant,

vs.

Allegiance Telecom of California, Inc.

Defendant.

(ECP)

Case 03-09-041

(Filed September 25, 2003)

**ORDER DISMISSING COMPLAINT AND  
REFUNDING DEPOSIT TO COMPLAINANT**

Complainant alleged that defendant charged for services not provided. Complainant deposited the amount in dispute (\$3,206.84) with the Commission. Defendant answered and denied the allegations, demanded that the impounded money be disbursed to it, and informed us that it had filed for bankruptcy and that Case 03-09-041 was subject to the automatic stay of the Bankruptcy Court.

After holding the matter in abeyance for over five months, on March 11, 2004, the presiding Administrative Law Judge (ALJ) informed the parties that, unless there was an objection by May 1, 2004, he would dismiss the complaint without prejudice and refund to complainant the money on deposit. As neither party has responded to the March 11, 2004 letter this complaint should be dismissed.

**Assignment of Proceeding**

Geoffrey F. Brown is the Assigned Commissioner and Robert Barnett is the assigned ALJ in this proceeding.

**O R D E R**

**IT IS ORDERED** that:

1. Complaint 03-09-041 is dismissed without prejudice.
2. The money on deposit with the Commission shall be disbursed to complainant.
3. This proceeding is closed.

This order is effective today.

Dated \_\_\_\_\_, at San Francisco, California.